

### **REMARKS**

Claims 1-4 are all the claims pending in the application. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

#### **Drawings**

The Examiner asserts that Figs. 4-7 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. In the Amendment filed on November 2, 2006, Applicants submitted 4 replacement drawing sheets (numbered 3/6 to 6/6) wherein Figs. 4-7 were labeled as --Prior Art--. Applicants respectfully request that the Examiner review the November 2 filing for these drawings.

#### **Claim Rejections - 35 U.S.C. § 102**

- *The Examiner rejected claims 1 and 3 under §102(e) as being anticipated by US Publication 2004/0171456 to Greenwood (hereinafter Greenwood).*

Applicants respectfully traverse this rejection because Greenwood fails to disclose all of the elements as set forth and arranged in the claims.

First, Applicants comments as set forth in the November 2 Amendment are still pertinent and, therefore, are incorporated herein by reference.

Second, by way of further explanation, Applicants offer the following comments on distinctions between the claimed subject matter and the disclosure in Greenwood.

In the present claim 1, the initial oil pressure set by the main oil pressure control unit is that "necessary for the pressing device to generate a pressing force necessary when a transmission ratio between the first and second disks is a transmission ratio requiring a maximum pressing force". What this means is that, in the absence of correction by the oil pressure correcting apparatus, the oil pressure set by the main oil pressure control unit will be sufficient to operate the transmission under all transmission ratios, because the pressure is sufficient to operate the transmission at a ratio requiring a maximum pressing force. Thus, instead of being only able to "limp home", the vehicle will be fully operational, albeit with an end load higher

than that required or desirable. See, for example, the specification at page 22, lines 8-14. See, also, the paragraph bridging pages 25 and 26.

On the other hand, in contrast to that set forth in claim 1, Greenwood discloses that the pressure introduced into the end loading device is either that of the “higher pressure wins” arrangement (see, for example, Fig. 1, from line 48 through 104 and to valve 102), or that of the pressure source (106/224). In the arrangements other than in Fig. 1, the pressure from pressure source 224 is controlled by the valve 204. However, there is no indication that in the absence of correction, the oil pressure value is set to that necessary for the pressing device to generate a pressing force necessary when a transmission ratio between the first and second disks is a transmission ratio requiring a maximum pressing force. Instead, during Greenwood’s “fail safe” operation, the vehicle is not described as fully operational, but only that it is able to “limp home”. See paragraph [0074]. That is, as shown in Fig. 7, during a failsafe operation, the higher pressure from the “higher pressure wins” arrangement is supplied to the end load unit via conduit 290 to thereby provide charging from the reaction circuit. See paragraph [0071]. But in each case, there is no indication that either the pressure from the reaction circuit, or that of the pressure source 106/224 is set to that necessary when a transmission ratio between the first and second disks is a transmission ratio requiring a maximum pressing force.

In light of the above, Greenwood fails to disclose that main oil pressure control unit 102/204 sets, as a target value, “an oil pressure necessary for the pressing device to generate a pressing force necessary when a transmission ratio between the first and second disks is a transmission ratio requiring a maximum pressing force”, as set forth in claim 1.

For at least any of the above reasons, Greenwood fails to anticipate claim 1. Likewise, this reference fails to anticipate dependent claim 3.

**Claim Rejections - 35 U.S.C. § 103**

- *The Examiner rejected claims 2 and 4 under §103(a) as being unpatentable over Greenwood in view of Applicants’ allegedly admitted prior art as illustrated in Figs. 4 and 5 of the present specification (hereinafter the AAPA).*

Applicants respectfully traverse this rejection because the references fail to teach or suggest all of the elements as set forth in the claims.

Claims 2 and 4 set forth that (emphasis added):

“the force to be transmitted between the first and second disks is detected in accordance with a difference between oil pressures in a pair of oil pressure chambers existing within the cylinder on the two sides of the axial direction of the piston”

According to Greenwood, the piston 210 includes two pressure chambers (PH and PL). Greenwood discloses that a higher pressure between a pressure in PH and a pressure in PL is used as a pilot pressure. That is, the higher pressure wins valve arrangement 222 in Greenwood's Fig. 8 is for detecting the higher pressure. See, for example, paragraph [0058], lines 26-35. However, this “higher pressure wins” arrangement does not determine the difference between oil pressures in a pair of oil pressure chambers, as claimed.

Stated another way, with mathematical expressions, Greenwood's arrangement determines whether  $PH > PL$ , or  $PH < PL$ , and then uses the higher pressure. However, Greenwood's arrangement does not utilize  $PH - PL$ , as does the presently claimed subject matter.

On the other hand, according to the present claims, a difference between oil pressures in PH and in PL is used as a pilot pressure. Fig. 3 of the present application shows one exemplary configuration to detect the pressure difference  $\Delta P$ . As seen in Fig. 1, the pressure difference  $\Delta P$  is applied to the pressing force control valve 56 via use of the pilot portions 60, 61. Again, in claim 2 it is recited that “the force to be transmitted between the first and second disks is detected in accordance with a difference between oil pressures”. By detecting the difference between oil pressures, not merely which one is higher, the presently claimed subject matter achieves a more delicate control. See, for example, page 26, 1<sup>st</sup> full paragraph.

The Examiner relies on the AAPA only for teaching a support member being swingable and shiftable about a support shaft in a transmission with the power rollers rotatably supported. Accordingly, the AAPA fails to cure the above noted deficiencies in Greenwood.

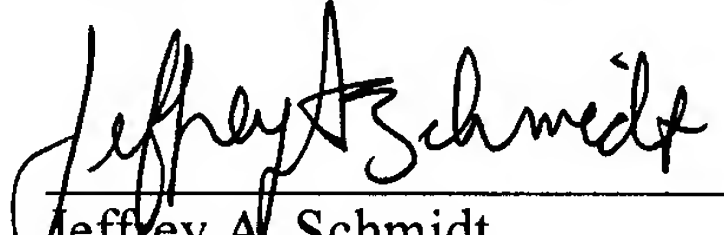
In light of the above, Greenwood and the AAPA fail to render obvious Applicants' claims 2 and 4. Thus, Applicants respectfully request that the Examiner withdraw this rejection.

**Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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